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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/821,726
	Filing Date	April 8, 2004
	First Named Inventor	Michael W. GRAHAM
	Group Art Unit	1632
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	6 +18 refs	Attorney Docket Number 546322000305

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney - 1 pg	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input checked="" type="checkbox"/> Information Disc'l Stmt - 3 pgs PTO-1449 - 2 pgs w/ 22 listed refs; 1- ISR; 18 refs attached	<input type="checkbox"/> Request for Refund	RETURN RECEIPT POSTCARD
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Michael R. Ward MORRISON & FOERSTER LLP CUSTOMER 20872
Signature	
Date	November 18, 2004

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS: AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, Alexandria, VA 22318-1450 on the date indicate below.	
Dated: November 18, 2004	Signature:  (Lilia Olsen)

SF-1768010

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Dated: November 18, , 2004 Signature: \_\_\_\_\_

(Lilia Olsen)

**Docket No.: 416272003001**  
**Client Ref: B01-076-2**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Marc K. HELLERSTEIN

Serial No.: 10/963,967

Filing Date: October 12, 2004

For: MEASUREMENT OF PROTEIN  
SYNTHESIS RATES IN HUMANS AND  
EXPERIMENTAL SYSTEMS BY

USE OF ISOTOPICALLY LABELED  
WATER

Examiner: Not Yet Assigned

Group Art Unit: N/A

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

sf-1821716

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.


The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing (546322000305). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 15, 2004

Respectfully submitted,

By 

Michael R. Ward

Registration No.: 38,651

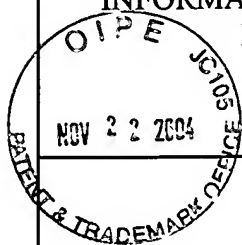
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<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number <b>546322000305</b>	Application Number <b>10/821,726</b>
	Applicant <b>Michael Wayne GRAHAM and Robert Norman RICE</b>	
	Filing Date <b>April 8, 2004</b>	Group Art Unit <b>1632</b>
	Mailing Date <b>November 18, 2004</b>	



## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/02/1993	US 5,190,931	Inouye			
	2.	05/04/1993	US 5,208,149	Inouye			
	3.	12/21/1993	US 5,272,065	Inouye et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	4.	11/27/1997	WO 97/44460	WO			
	5.	03/20/2003	WO 03/022052	WO			
	6.	07/10/2003	WO 03/056012	WO			

## OTHER DOCUMENTS (including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	7.	Cohli et al. (1994) "Inhibition of HIV-1 multiplication in a human CD4+ lymphocytic cell line expressing antisense and sense RNA molecules containing HIV-1 packaging signal and Rev response element(s)" Antisense Research and Development 4: 19-26.
	8.	Fire et al. (1991) "Production of Antisense RNA Leads to Effective and Specific Inhibition of Gene Expression in C. Elegans Muscle" Development, 113(2): 503-514.
	9.	Fraser et al. (1996) "Effects of c-myc First Exons and 5' Synthetic Hairpins on RNA Translation in oocytes and early Embryos of Xenopus Laevis" Oncogene, 12:1223-1230.
	10.	Hungarian Patent Office Search Report mailed July 13, 2004, for Hungary patent application no. P0101225, 1 page.
	11.	Kibler et al. (1997) "Double Stranded RNA is a Trigger for Apoptosis in Vaccinia Virus Infected Cells" Journal of Virology, 71(3): 1992-2003.
	12.	Kozak (1989) "Circumstances and Mechanisms of Inhibition of Translation by Secondary Structure in Eucaryotic mRNAs" Molecular and Cellular Biology, 9(11):5134-5142.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>	Docket Number <b>546322000305</b>	Application Number <b>10/821,726</b>
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	Mailing Date <b>November 18, 2004</b>	

13.	Liebhaber et al. (1992) "Translation Inhibition By An mRNA Coding Region Secondary Structure is Determined By its Proximity to the AUG Initiation Codon" J. Mol. Biol. 226:609-621.
14.	Lingelbach et al. (1988) "An Extended RNA/RNA Duplex Structure Within the Coding Region of mRNA Does not Block Translational Elongation" Nucleic Acids Research, 16(8) 3405-3414.
15.	Loomis et al. (1991) "Antisense RNA Inhibition of Expression of a Pair of Tandemly Repeated Genes in a Delay in Cell-Cell Adhesion in Dictyostelium" Antisense Research and Development, 1:255-260.
16.	Mikoshiba et al. (1991) "Molecular Biology of Myelin Basic Protein: Gene Rearrangement and Expression of Anti-Sense RNA in Myelin-Deficient Mutants" Comp. Biochem. Physiol. 98(1):51-61.
17.	Okano et al. (1991) Myelin Basic Protein Gene and the Foundation of Antisense RNA in its Repression in Myelin-Deficient Mutant Mouse" Journal of Neurochemistry, 56(2):560-567.
18.	Pelletier et al. (1985) "Insertion Mutagenesis to Increase Secondary Structure within the 5' Noncoding of a Eukaryotic mRNA Reduces Translational Efficiency" Cell, 40(3):515-526.
19.	Piccin, et al. (2001) "Efficient and Heritable Functional Knock-out of an Adult Phenotype in Drosophila using a GAL4-Driven Hairpin RNA Incorporating a Heterologous Spacer" Nucleic Acids Research, 29(12) E55:1-5.
20.	Svoboda, P. et al. (2001) "RNAi in Mouse Oocytes and Preimplantation Embryos: Effectiveness of Hairpin dsRNA" Biochem Biophys Res Commun., 287(5): 1099-1104.
21.	Watson (1988) "A New Version of the Sequence of Plasmid pBR322" Gene, 70:399-403.
22.	Weaver et al. (1981) "Introduction to Molecular Cloning of Artificial Inverted Sequences at the 5' Terminus of the Sense Strand of Bovine Parathyroid Hormone cDNA" Proceedings of the National Academy of Sciences of the United States of America 78(7): 4073-4077.

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